

# BELL, BOYD & LLOYD LLC

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**Rec'd PCT/PTO 31 JUL 2003**

THE FIRST NATIONAL PLAZA  
70 WEST MADISON STREET, SUITE 3300  
CHICAGO, ILLINOIS 60602-4207  
312.372.1121 FAX 312.372.2098

OFFICES IN CHICAGO  
AND WASHINGTON, D.C.

## VIA HAND DELIVERY

July 14, 2003

Katharyn Short, Supervisor  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: Applicants: Affolter et al.; Serial No. 09/936,367; Entitled "EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE PRESENCE OF CARBON SOURCES"; Attorney Docket No. 112843-029

Dear Ms. Short:

Pursuant to your telephone conference with Renee Street of our office on July 1, 2003 regarding the above-identified patent application, I am forwarding to you, under cover of this letter, a copy of the following documents:

1. Certificate of Express Mailing dated March 28, 2003;
2. Transmittal Letter (1 page);
3. Request for Filing Receipt (2 pages);
4. Copy of Notification of Missing Requirements (2 pages);
5. Copy of Response to Notification of Missing Requirements (9 pages);
6. Copy of Date Stamped Postcard (1 page);
7. Sequence Listing Statement (1 page);
8. Sequence Listing Document (3 pages);
9. Diskette Containing Computer Readable Form of Sequence Listing (1 diskette);

Katharyn Short, Supervisor  
July 14, 2003  
Page 2

10. Copy of Return Receipt Postcard Date Stamped by the Patent Office on March 28, 2003.

Please acknowledge receipt of these documents by signing the attached copy of this letter in the space provided.

If you need anything further, please do not hesitate to contact me.

Very truly yours,



Robert M. Barrett

RMB:klb  
Enclosures

Katharyn Short, Supervisor - PCT Branch

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Signature

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Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Affolter et al.  
Appl. No.: 09/936,367  
Filed: September 11, 2001  
Title: EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE  
PRESENCE OF CARBON SOURCES  
Art Unit: 1645  
Examiner: Unknown  
Docket No.: 112843-29

Commissioner for Patents  
BOX PCT  
Washington, DC 20231

**REQUEST FOR FILING RECEIPT**

S I R:

Applicants are requesting the official filing receipt for the above-identified patent application. Applicants filed the above-identified patent application on September 11, 2001. Applicants received a Notification of Missing Requirements from the Patent Office dated October 30, 2001, a copy of which is attached hereto at Tab A. A Response to Notification of Missing Requirements submitting the executed Declaration and Power of Attorney and \$130.00 surcharge was mailed to the Patent Office on December 21, 2001. A copy of the Response to Notification of Missing Requirements documents is attached hereto at Tab B. The Patent Office received the Response to Notification of Missing Requirements on January 23, 2002 as is indicated on the date stamped return postcard, a copy of which is attached hereto at Tab C.

Applicants note that the computer readable form of the sequence listing was inadvertently omitted when they filed the Response to Notification of Missing Requirements. Applicants are submitting herewith a computer readable form of the sequence listing along with a hard copy of the sequence listing to complete their response to the Notification of Missing Requirements.

If any fees are due and owing with respect to this submission, the undersigned attorney authorizes the Patent Office to deduct said fees from Deposit Account 02-1818.

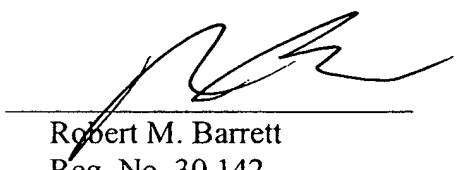
Applicants respectfully submit that the Patent Office consider the attached documents and issue an official filing receipt in due course.

If the Patent Office requires any further information or documentation, they are invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Robert M. Barrett  
Reg. No. 30,142  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Phone: (312) 807-4204

In Re Application of: Affolter et al.

Serial No.: 09/936,367

Docket No.: 112843-029

DT13 Rec'd PCT/PTO 28 MAR 2003

On the date stamped hereon the U.S. Patent and Trademark Office hereby acknowledges the receipt of the following:

1. Transmittal Letter (1 page) (duplicate);
2. Request for Filing Receipt (2 pages);
3. Copy of Notification of Missing Requirements (2 pages);
4. Copy of Response to Notification of Missing Requirements (9 pages);
5. Copy of Date Stamped Postcard (1 page);
6. Sequence Listing Statement (1 page);
7. Sequence Listing Document (3 pages); and
8. Diskette Containing Computer Readable Form of Sequence Listing (1 diskette).

Mailed on: March 28, 2003

Express Mail Label No.: EV 110 954 662 US

RECEIVED  
BELL, BOYD & LLOYD  
INTELLECTUAL PROPERTY DOCKET

APR 10 2003

ATTY: \_\_\_\_\_  
DOCKET #: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Affolter et al.  
 Appl. No.: 09/936,367  
 Filed: September 11, 2001  
 Title: EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE  
 PRESENCE OF CARBON SOURCES  
 Art Unit: 1645  
 Examiner: Unknown  
 Docket No.: 112843-29

Commissioner for Patents  
 Washington, DC 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (duplicate);
2. Request for Filing Receipt (2 pages);
3. Copy of Notification of Missing Requirements (2 pages);
4. Copy of Response to Notification of Missing Requirements (9 pages);
5. Copy of Date Stamped Postcard (1 page);
6. Sequence Listing Statement (1 page);
7. Sequence Listing Document (3 pages);
8. Diskette Containing Computer Readable Form of Sequence Listing (1 diskette); and
9. Return Receipt Postcard.

are being deposited with the United States Postal Service with sufficient postage as  
 Express Mail in an envelope addressed to:

Commissioner for Patents  
 Box PCT  
 Washington, DC 20231

on March 28, 2003.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Robert J. Precieri

Name of Person Mailing Correspondence

Signature

EV 110 954 662 US

Express Mail Mailing Label Number

EV110954662US

TRANSMIT LETTER TO THE UNITED STATES

1128 729

DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/936,367

INTERNATIONAL APPLICATION NO.  
PCT/EP00/01796INTERNATIONAL FILING DATE  
2 March 2000PRIORITY DATE CLAIMED  
11 March 1999

## TITLE OF INVENTION

EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE PRESENCE OF CARBON SOURCES

APPLICANT(S) FOR DO/EO/US

Affolter et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office  
Return Receipt Postcard

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR <div style="text-align: center;">09/93</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/EP00/0179</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">112843-029</div>
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24. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....	\$1040.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....	\$890.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	\$740.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....	\$710.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....	\$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).	<b>\$0.00</b>
---	---------------

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =	0	x \$18.00
Independent claims	- 3 =	0	x \$84.00
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>

**TOTAL OF ABOVE CALCULATIONS = \$130.00**

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL = \$130.00**

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

**TOTAL NATIONAL FEE = \$130.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

**TOTAL FEES ENCLOSED = \$130.00**

	Amount to be:
	refunded
	charged

a. ☒ A check in the amount of **\$130.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **02-1818**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

Robert M. Barrett, Esq.  
 Bell, Boyd & Lloyd LLC  
 P.O. Box 1135  
 Chicago, Illinois 60690-1135  
 Tel: (312) 807-4204

\_\_\_\_\_  
SIGNATURE

**Robert M. Barrett**  
 \_\_\_\_\_  
NAME

**30,142**  
 \_\_\_\_\_  
REGISTRATION NUMBER

**December 21, 2001**  
 \_\_\_\_\_  
DATE



**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
112843-29

In Re Application Of: Affolter et al.

Serial No.  
09/936,367

Filing Date  
September 11, 2001

Examiner  
Unknown

Group Art Unit  
Unknown

Title:

**EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE PRESENCE OF CARBON SOURCES**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Transmittal Letter (duplicate); Response to Notification of Missing Requirements; Copy of Notification of Missing Requirements; Executed Declaration; Check in the Amount of \$130.00; and Return Receipt Postcard.**

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of \$130.00 is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

  
Signature

Dated: December 21, 2001

Robert M. Barrett (30,142)  
ATTORNEYS FOR APPLICANTS  
Bell, Boyd & Lloyd LLC  
P.O. Box 1135  
Chicago, Illinois 60690-1135

CC:

I certify that this document and fee is being deposited on 12/21/2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

Robert J. Buccieri

Typed or Printed Name of Person Mailing Correspondence

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
112843-29

In Re Application Of: Affolter et al.

Serial No.  
09/936,367

Filing Date  
September 11, 2001

Examiner  
Unknown

Group Art Unit  
1645

Title:

**EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE PRESENCE OF CARBON SOURCES**

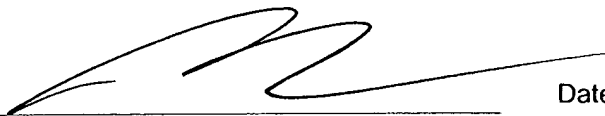
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Request for Filing Receipt (2 pages); Copy of Notification of Missing Requirements (2 pages); Copy of Response to Notification of Missing Requirements (9 pages); Copy of Date Stamped Postcard (1 page); Sequence Listing Statement (1 page); Sequence Listing Document (3 pages); Diskette Containing Computer Readable Form of Sequence Listing (1 diskette); and Return Receipt Postcard**

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- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.



*Signature*

Dated: March 28, 2003


**Robert M. Barrett (30,142)  
ATTORNEYS FOR APPLICANTS  
Bell, Boyd & Lloyd LLC  
P.O. Box 1135  
Chicago, Illinois 60690-1135**

CC:

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

 Commissioner For Patents, Box PCT, United States Patent and Trademark Office, Washington, D.C. 20231, www.uspto.gov		

U.S. APPLICATION NUMBER NO. 09/936,367	FIRST NAMED APPLICANT Affolter	ATTY. DOCKET NO. 112843-029
INTERNATIONAL APPLICATION NO. PCT/EP00/01796		
I.A. FILING DATE 03/02/2000	PRIORITY DATE 03/11/1999	

Robert M Barrett  
Bell Boyd & Lloyd  
PO Box 1135  
Chicago, IL 60690-1135

CONFIRMATION NO. 4325  
371 FORMALITIES LETTER



DUE: 12-30-01

Date Mailed: 10/30/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

**RECEIVED**  
BELL, BOYD & LLOYD  
INTELLECTUAL PROPERTY DOCKET

NOV 13 2001 <sup>TK</sup>

ATTY: RMB  
DOCKET #: 112843-029

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason

(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

PATRICIA A BOOKER

Telephone: (703) 305-3738

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/936,367	PCT/EP00/01796	112843-029

In Re-P: Application of: Affolter et al.

**EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE  
PRESENCE OF CARBON SOURCES**

Serial No.: 09/936,367

Docket No.: 112843-029

On the date stamped hereon the U.S. Patent and Trademark Office hereby  
acknowledges the receipt of the following:

1. Transmittal Sheet (duplicate);
2. Executed Declaration and Power of Attorney;
3. Copy of Notification of Missing Requirements; and
4. Check in the Amount of \$130.00

Mailed on: December 21, 2001

JC07 Rec'd PCT/PTO 23 JAN 2002

d